

REMARKS/ARGUMENTS

Drawings

The drawings were objected to under 37 CFR 1.85(p)(5), for failing to include the reference numerals 35 and 37 referred to in paragraph [0021] of the specification. Accordingly, amended Fig. 2 as enclosed herewith has been corrected to include reference numerals 35 and 37, respectively identifying an outer wall of the tube 34 and an inner surface of the annular sheet metal lip 36. Reconsideration of the objection to Fig. 2 is therefore anticipated.

Claim Rejections

Claims 1-6, 8-20, 22, 24 and 25 were rejected under 35 U.S.C. 102(b) as being anticipated by Weiler (US Patent 2,435,990). Claims 7 and 21 were rejected under 35 U.S.C. 103(a) as being obvious in view of Weiler.

Weiler discloses grill 36 which extends across the air inlet area of the engine and is formed by parallel sets of tubes 38 and 39 which extend rectilinearly through the air inlet and perpendicularly to the air inlet flow direction. The grill 36 includes an inlet header 56, for receiving the heated oil, that supplies heated oil to one end of each of the two groups of tubes 38 and 39. Therefore, "substantially half of the heated oil will flow in parallel paths vertically, and the remainder will flow in parallel paths horizontally". (col. 5, lines 3-5) The heated oil is cooled as it passes linearly through the grill 36, and is then discharged into and collected by an outlet header 57. Therefore, the inlet and outlet headers 56 and 57 merely feed and collect the oil into and out of the rectilinear tubes 38 and 39, passing through the engine air inlet, within which heat exchange between the hot oil and the engine inlet air occurs.

In view of the comments above and the amendments made to independent claims 1, 13 and 25, the Applicant believes that the rejection to claims 1, 13 and 25 as being anticipated by Weiler is now moot. At least in view of their dependence on the independent claims 1, 13 and 25, rejected dependent claims 2-6, 8-12, 14-20, 22 and 24 are similarly believed to be novel over Weiler. Reconsideration of the rejection of these claims under 35 U.S.C. 102(b) is therefore respectfully requested. At least in view of their dependence on amended claims 1 and 13, dependent claims 7 and 21 are also believed to be neither taught nor suggested by Weiler. Reconsideration of their rejection under 35 U.S.C. 103(a) is also respectfully requested.

Specification

Paragraphs [0014], [0015], [0020], and [0024] of the specification have been voluntarily amended, for reasons unrelated to any rejections raised by the Examiner, in order to correct typographical errors identified therein. No new subject matter has been added.

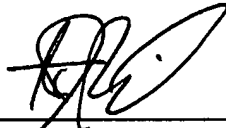
Applicant notes that claim 23 was objected to, but that the subject matter thereof was deemed allowable if rewritten in independent form.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully,

May 11, 2005

Date



Agent of the Applicant

T. James Reid, Reg. No. 56,498

OGILVY RENAULT

1981 McGill College, Suite 1600

Montreal, Quebec, Canada H3A 2Y3

Tel.: (514) 847-4311

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 2. This sheet, which includes only Fig. 2, replaces the corresponding original sheet comprising Fig. 2. In Fig. 2, previously omitted reference numbers 35 and 37 have been added.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

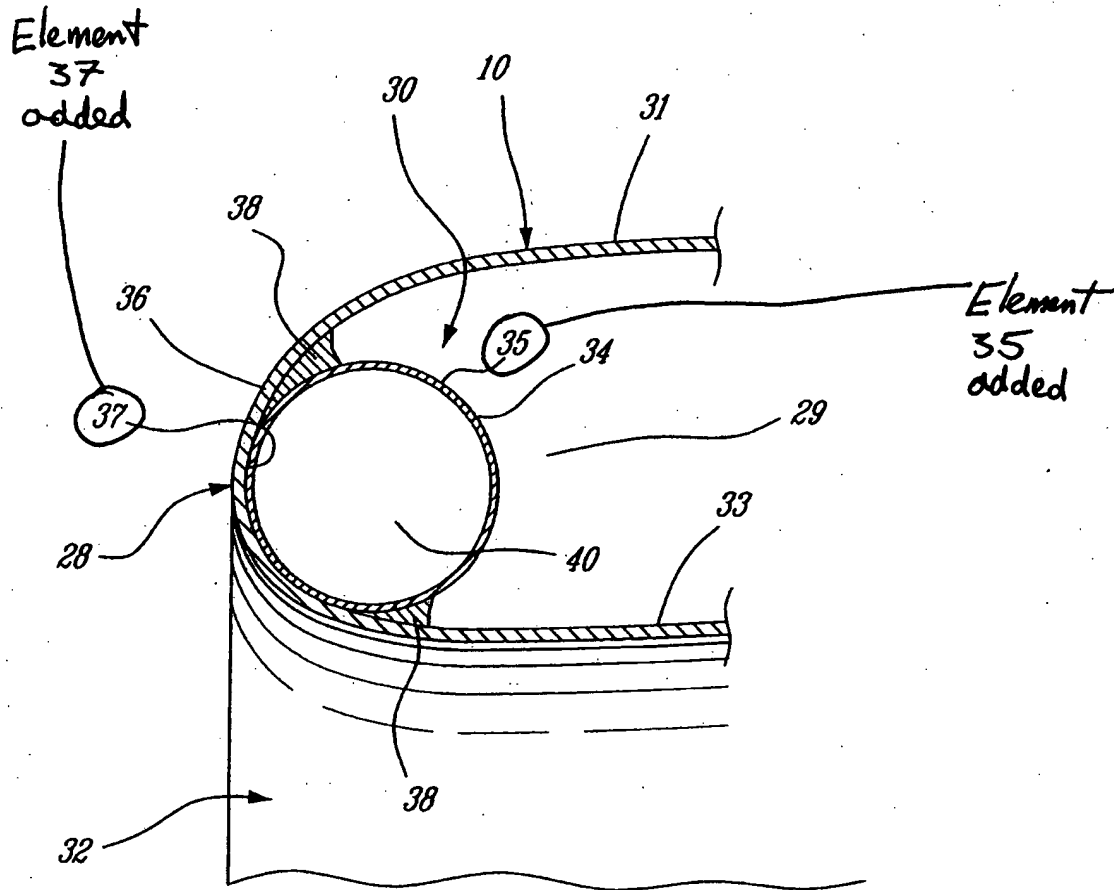


Fig. 2